

HOW TO ASSIST INJURED WORKERS

A Guide for Physicians in Ontario



Why your help matters

Most cases turn on medical evidence. Without your help, injured workers may lose their benefits.

Helps minimize poverty

WSIB payments are an essential avenue to reducing poverty. WSIB payments help injured workers maintain an income and reduce the burden on publicly-funded programs such as social assistance. WSIB payments improve the health of injured workers by reducing poverty.

Historic compromise

Workers gave up their right to sue their employer in order to claim benefits through the WSIB when injuries occur during the course of employment. Employers fund the WSIB as a result.

Holds employers—the proper payors—responsible

If a WSIB claim is not completed, employers are not always held responsible when their dangerous workplace has been the cause of an employee's injury. An unfair situation results where the workers' wage replacement falls on the taxpayer through programs like social assistance.

1 Screen

Is the employee entitled to WSIB benefits?

Work injuries are not always obvious. Injuries such as disablements, recurring injuries, occupational diseases and injuries that present themselves at home may still entitle the employee to WSIB benefits. Ask patients about exposures and about co-workers' health.

Ask ALL patients:

"Do you think this condition has anything to do with your work, past or present?"



It's not always obvious

Workplace injuries are not always apparent. It is essential to determine whether patients' conditions, injuries or diseases are related in any way to their employment.

What if the condition was pre-existing?

Pre-existing conditions that are exacerbated by work, and secondary conditions such as psychological conditions and chronic pain resulting from the compensable injury, entitle the employee to WSIB benefits.

2 Intervene

Assist with Claims & Appeals

It is vital that physicians cooperate when asked to assist injured workers. Physicians are the transmitters of medical information and without the necessary medical information, injured employees may be denied the WSIB benefits to which they are entitled. Consider the need for time to heal in return to work situations. Give reasons.

All medical reporting forms are on the WSIB website.



Which form?

Submit the **Form 8** if you suspect this is work related. Medical certainty is not required.

It is essential to record all information relating to an employee's injuries for the purposes of a WSIB claim. Complete all WSIB forms as thoroughly as possible in order to ensure that patients have the highest chance of success in obtaining WSIB benefits. Any restrictions and/or limitations must be detailed in all forms.

Please make sure you chart information in these key areas as it may be needed for future reports:

Nature of injury:

- What parts of the body are affected by the injury?
List all body parts injured, not just the major ones.
- Is this a psychological injury?
- Has a secondary condition resulted?

History of onset:

- When did the injury/illness/disease occur?
- What is the mechanism of injury?
- How long is the injury expected to last?
- Is the condition expected to improve or deteriorate?

Quantifiable changes:

- Is there decreased range of motion?
- Have any medications been prescribed?
- What is their effect?

Restrictions/limitations:

- Physical limitations on ability to walk, stand, sit, etc.
- Psychological restrictions
- Need for reduced hours/endurance

Job details:

- What were the pre-accident job duties?
- Is the modified job appropriate for the injury?
- What is the exposure history? For example, to prolonged repetitive motion and force or to chemicals and toxic agents?



Details matter!

Sometimes the smallest detail is key to gaining entitlement for the injured worker.

Remember:

The workplace need only make a "significant contribution" to the development of the injury or illness to be compensable.

REFERRALS

**Does your patient need legal help or help in proving work-relatedness?
Here are some resources:**

Legal clinics

Legal clinics provide a variety of legal services to low-income residents of Ontario, and may be able to assist in WSIB appeals. Services are free to low-income clients. To find a legal clinic near you visit www.legalaid.on.ca or call Legal Aid Ontario at 1-800-668-8258. Legal Aid may also help if there is no legal clinic near you.

Office of the Worker Adviser

The Office of the Worker Adviser provides free legal advice and representation to non-unionized injured workers and their survivors. Services are offered in both English and French. To contact the Office of the Worker Adviser call 1-800-435-8980 or visit their website at www.owa.gov.on.ca.

Unionized employees

Unionized employees can contact their union representatives for help in dealing with WSIB and the return to work process.

Occupational health clinics for Ontario workers (OHCOW)

OHCOW provides, in confidence, work-related medical assessments to individuals & groups of individuals. The resulting medical reports can also include occupational hygiene and/or ergonomic information. Contact OHCOW toll free at 1-877-817-0336.

LAMP Community Health Centre

LAMP's Occupational Health Services include medical services, counselling, advice, information, referral and education relating to occupational health. LAMP has a telemedicine studio to reach patients all over Ontario. Contact LAMP at 416-252-6471.